

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED
SEP 03 2008

[Signature]
CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DOMINIQUE RIGGINS,
a/k/a "G",

Defendant.

CR 07-40055-04

AMENDED ORDER

The Defendant Dominique Riggins, a/k/a "G", has moved for an Examination to Determine Competency and a Continuance of Sentencing, Doc. 1182. The Government has now likewise made a Motion for a Competency Examination, Doc. 1186.

The Motion to Continue Sentencing is granted and the sentencing will be rescheduled, if appropriate, after the competency examination.

The defense moved for a local examination and the Government moved that the Defendant be examined at a Government facility. The examination pursuant to 18 U.S.C. §§ 4241 and 4242(a) will take place at a Government facility. Accordingly, good cause appearing,

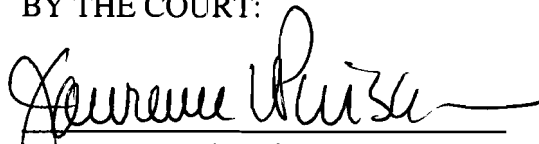
IT IS ORDERED:

1. That the Motion to Continue Sentencing, Doc. 1182, is granted.
2. That the Defendant's Motion for Examination to Determine Competency, Doc. 1182, and the Government's Motion for Competency Examination, Doc. 1186, are granted.
3. That Defendant is committed to the custody of the Attorney General, and that the United States Marshal's Service shall transport the Defendant to such Bureau of Prisons facility as is capable of performing such psychological examination and preparing such report as required pursuant to 18 U.S.C. § 4247(b) and (c), or, in the alternative to such private facility with like capability, and further that after examination a report be prepared pursuant to 18 U.S.C. § 4247(b) and (c) and that the report address:

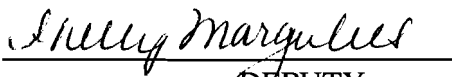
- (A) Whether the Defendant is presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense;
 - (B) Whether the Defendant as a result of severe mental disease or defect was unable to appreciate the nature and quality or wrongfulness of the act as alleged in the pending Indictment.
4. That the terms of 18 U.S.C. § 4247(b) and (c) shall be complied with. The evaluating professional shall contact the Court with his or her preliminary opinion(s) as soon as the evaluation has been completed. The evaluation report shall be completed and forwarded to the Court on or before fifty (50) days after Defendant's arrival at the examining facility. The United States Marshal's Service is ordered to ensure Defendant remains at the evaluating facility until further Order of the Court.

Dated this 3rd day of September, 2008.

BY THE COURT:


Lawrence L. Piersol
United States District Judge

ATTEST:
JOSEPH HAAS, CLERK

BY: 
DEPUTY

NOTE TO THE UNITED STATES MARSHAL AND THE BUREAU OF PRISONS:

Defendant shall remain at the evaluating facility until further Order of the Court.